

Overview of Michigan's
Child Welfare System

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Program Description

Children's Protective Services has the responsibility to investigate allegations that a child under age 18 is suspected of being abused or neglected by a parent, legal guardian or any other person responsible for the child's health or welfare.

Primary Objectives

- Children are, first and foremost, protected from abuse and neglect.
- Children are safely maintained in their own homes whenever possible and appropriate.
- Children who must be removed from their homes are placed in the most stable and family like setting possible, relatives considered first.

Legal Definition of Child Abuse

Child Abuse

Harm or Threatened harm to a child, which occurs through non-accidental physical, or mental injury; sexual abuse; sexual exploitation; or maltreatment

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Legal Definition of Neglect

Child Neglect

Harm or threatened harm to a child that occurs through negligent treatment, including the failure to provide adequate food, clothing, shelter or medical care. Placing a child at unreasonable risk...

- For more info..... See Child Protection Law

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Definition of Maltreatment

Treatment that involves cruelty or suffering that a reasonable person would recognize as excessive.

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Who Are the Reporting Persons?

• Mandated

- Law Enforcement
- School Counselors
- Hospitals
- Teachers
- DHS Employees

• Non Mandated

- Anonymous
- Relatives
- Friend or Neighbor

Assignment of a complaint for Investigation

• Immediate to 24 Hour Commencement

- 24 to 72 hour Face to Face
 - age of child
 - child afraid to go home
 - type of abuse neglect

Investigation Disposition Process

- Must meet legal definition of Child Abuse and Neglect
- Preponderance of evidence
- Risk Assessment
- Approximately 75% of investigations do not result in preponderance finding

CPS Statistics: Fiscal Year 2010

- Complaints received: 121,397
- Investigations commenced: 78,825
- Substantiated cases: 21,427

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Investigation Disposition

- Category I- Court Intervention
- Category II-Mandatory Services with Central Registry Perpetrators (*high or intensive risk*)
- Category III- Preponderance but no Central Registry Perpetrator (*low or moderate risk*)
- Category IV- Non Preponderance
- Category V-Unable to locate or no foundation for investigation

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Disposition Response

- Refer to community service provider
- Open for services
- Emergency Removal - Child in imminent danger
- Mandatory Petition

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Child Welfare Funding

- Federal Title IV-E
- Federal Title IV-B
- Federal Title IV-A
- Federal Title XX

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Child Welfare Funding

- Federal Child Abuse and Neglect Grant (CAPTA)
- Federal Chafee Foster Care Independence
- Children's Justice Act
- State General Funds
- County Child Care Funds

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Children in Foster Care

- Result of CPS investigation/substantiation
AND
court intervention to remove child from the parental home.
- Court places with DHS for care, supervision, and out-of-home placement

Children in Foster Care

- Michigan DHS is responsible for supervision of 15,111 children as of November 30, 2010.
 - 36% are placed with relatives
 - 35% are placed in foster homes
 - 12% are being supervised in their own homes
- The number of children under DHS supervision has been declining from a peak of 19,214 in 2003.

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Program Description

- The **Children's Foster Care Program** provides placement and supervision of children who have been removed from their home due to abuse or neglect.
- The goal of the Foster Care Program is to ensure the safety, permanence and well being of children through reunification with the birth family, permanent placement with a suitable relative, or a permanent adoptive home.

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DHS and Private Agencies...

- Work with parents to rectify conditions that led to the child's removal.
 - Provision of services (substance abuse programming, parenting education, mental health treatment, etc.)
 - Supervised parenting visits
- Supervise child in out-of-home placement to ensure well-being & provision of any necessary services.

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DHS and Private Agencies...

- Monitor parents' progress and compliance with services on a regular basis
- Report to the court every 3 months as to parents' progress
- Make recommendations regarding reunification, termination of parental rights, or alternate permanency plans

Methods of Permanency

- Reunification/return home
- Adoption
- Guardianship
- Permanent placement w/ relative
- Another Planned Permanent Living Arrangement (APPLA)
 - Permanent Arrangement w/ Foster Parent
 - OR
 - Independent Living—extension of FC

The Court's Role...

Formal Court hearings

- Disposition (within 35 days of adjudication/trial)
- Review hearings every 92 days thereafter
- Permanency Planning Hearing no later than 1 year after the child's removal to decide if:
 - Child should be returned home
 - Child should continue in foster care
 - The process should begin to terminate parental rights.

Foster Care Payments

- Maintenance payments for foster care come from 3 primary sources:
 - Title IV-E
 - variable match between federal and state funds dependent on state's medical assistance rate (FMAP)
 - State Ward Board and Care (SWBC)
 - 50% state – 50% county
 - County Child Care Fund (CCCF)
 - 50% county – 50% state

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Program Description

- Bureau of Juvenile Justice provides care and supervision for youth assigned to DHS by the court due to a violation of the delinquency section of the Juvenile Code.
- When a child has a co-existing foster care and delinquency case, they are referred to as "Dual Wards".

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Treatment & Supervision for JJ Youth

- Supervision ranges from placement in community-based programs to secure facilities.
- Programming can include: educational services, cognitive restructuring, family assistance, crisis intervention, and recreation.
- Reintegration and employment services are offered for youth transitioning back to the community from residential placement.

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Indian Child Welfare

Federal Indian Child Welfare Act (ICWA) promotes the stability and security of Indian tribes and cultures and to protect the best interests of Indian children and individual families by:

- Establishing minimum standards governing any interference with Indian children's relationships with their parents, family or tribe.
- Providing for the placement of Indian children who must be removed in foster or adoptive homes reflecting the unique values of Indian culture.
- Providing for assistance to Indian tribes for operations of child and family services programs.

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Resource Information

DHS Policy and Procedures Manuals
<http://www.mfia.state.mi.us/olmweb/ex/html/>

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